

Notice of Allowability

Application No.

09/819,168

Examiner

Binh-An D. Nguyen

Applicant(s)

OKAMOTO ET AL.

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief filed February 7, 2006.
2. ☒ The allowed claim(s) is/are 1-8, 14-18 and 45-49.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

The applicant's arguments from the Appeal Brief filed February 7, 2006 have been found persuasive over the rejection set forth in the Office action sent December 3, 2004.

The following is an examiner's statement of reasons for allowance:

While the cited reference of Miyamoto et al. (6,139,433) teaches a video game methodology involves game level organization features, camera perspective or point of view control features, and a wide array animation and character control features; and the cited reference of Rieder (6,017,272) teaches a video game apparatus displaying a game space as a bird's eye view which shows a figure of the player character defined as an existence within the game space and image of a range of a visual field of the player character; Miyamoto et al. and/or Rieder, alone or in combination, does not anticipate or make obvious the applicant's claimed limitations of a gaming machine comprising *a timer for measuring a fixed time after timing decision unit decides that player character and object (existing around the player) satisfy a predetermined relation; and visual point position setting unit for shifting visual point position along with the movement of said player character so that said player character may be contained in a visual field range, and changing said visual point position in a predetermined range almost centered at said player character, when the elapse of said fixed time is detected by said timer (as per claim 1) or when a change instruction is made by said change instructing unit after a predetermined duration being greater than zero (as per claim 14);*

or a gaming machine comprising *return instructing unit for returning the changed degree of making a return instruction of transparency for the object to an original state, when the degree of transparency for said object is changed; visual point position setting unit for shifting said visual point position, along with the movement of said player character, so that said player character may be contained in a visual field range; and transmission processing unit for performing a transmission process of changing the degree of transparency for the object placed between said player character and said visual point position, when said timing decision unit decides that said player character and said object satisfy the predetermined relation and after the elapse of a time greater than zero, as well as returning the changed degree of transparency to the original state, when a return instruction is issued by said return instructing unit (as per claim 45); or* an information storage medium storing a program for enabling a computer to execute a process of: *deciding a timing at which player character and an object existing around the player character satisfy relatively a predetermined relation for at least one of a shape and an arrangement in a virtual space, and changing the visual point position in a predetermined range almost centered at said player character after the elapse of a fixed time wherein said fixed time is more than zero (as per claim 49), in combination with other presented limitations.*

Claims 1-8, 14-18, and 45-49, therefore, are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because in Figures 16 and 19 the word "character" (step 104) has been misspelled. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 571-272-4440. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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